

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Ban on manufacture, stock, sale and use of plastic carry bags less than 40 microns thickness - Plastic Waste (Management & Handling) Rules, 2011 under Environment (Protection) Act, 1986 – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (ENV) DEPARTMENT

G.O. Ms. No.46,

Dated:20.06.2013
Read the following:

1. G.O. Ms. No.25, E.F.S. & T. (ENV) Dept., Dated 30.3.2001.
2. Government of India, Ministry of Environment & Forests Notification No. S.O. No. 249(E), dated 04.02.2011.

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ORDER:

In exercise of the powers conferred by Section 3,6 and 25 of the Environment(Protection) Act, 1986 (29 of 1986), and in supersession of the Recycled Plastics Manufacture and Usage Rules, 1999, the Central Government notified Plastic Waste (Management & Handling) Rules, 2011 under Environment (Protection) Act, 1986. In view of the above the following order is hereby issued superceding the earlier G.O. (vide 1st read) issued by Environment, Forests, Science and Technology Department, Government of Andhra Pradesh.

2. The salient features of the notification are:-

Conditions: During the course of manufacture, stocking distribution, sale and use of carry bags and sachets, the following conditions shall be fulfilled, namely:-

- a) Carry bags shall either be white or made using only those pigments and colourants which are in conformity with Indian Standard: IS 9833:1981 titled as list of pigments and colourants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water, as amended from time to time;
- b) No person shall use carry bags made of recycled plastics or compostable plastics for storing, carrying, dispensing or packaging food stuffs;

- c) No person shall manufacture, stock, distribute or sell any carry bag made of virgin or recycled or compostable plastic, which is **less than 40 microns in thickness**;
- d) Sachets using plastic material shall not be sued for storing, packing of selling gutkha, tobacco and pan masala;
- e) Recycled carry bags shall conform to the Indian Standard; IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;
- f) Carry bags made from compostable plastics shall conform to the Indian Standard: IS/ISO 17088:2008 titled as specifications for compostable plastics, as amended from time to time;
- g) Recycling of plastics shall be carried out in accordance with the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time.

h) Marking / Codification:-

- i) Each plastic carry bag and multilayered packaging shall have name, registration number of the manufacturer and thickness in case of carry bags printed in English or in local language;
- ii) Each recycled carry bag shall bear a label or a mark "recycled" as shown vide 8 (b) of Plastic Waste (Management & Handling) Rules, 2011 and shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;
- iii) Each carry bag made from compostable plastics shall bear a label "Compostable" and shall conform to the Indian Standard: IS/ISO 17088:2008 titled as specifications for compostable plastics;
- iv) Retailers shall ensure that plastic carry bags and multilayered packaging sold by them are properly labeled, as per stipulations under these Rules.

i) **Thickness of carry bags:-** No person shall manufacture, stock, distribute or sell any carry bag made of virgin or recycled or compostable plastics, which is less than 40 microns in thickness.

3. After careful examination of Government of India's notification vide 2nd read above and taking into consideration various aspects related to Plastic Waste (Management & Handling) Rules, 2011 the Government, hereby issue the following order, superceding the earlier Government order (vide 1st read):-

4. Prescribed Authority:

- a. The Member Secretary, Andhra Pradesh State Pollution Control Boards, shall be the Authority for enforcement of the provisions of these rules related to authorisation, manufacture, recycling and disposal;
- b. The concerned Municipal Authority of concerned Municipal Corporation / Municipality, shall be the Authority for enforcement of the provisions of these rules relating to the use, collection, segregation, transportation and disposal of post consumer plastic waste.

5. Without prejudice to the provisions contained in paras 4(a) & 4(b) above, the Plastic Industry Association, through their members units, shall undertake self-regulatory measures.

6. RESTRICTIONS:

With a view to discourage Indiscriminate use of Plastic Carry bags, in the urban areas in particular, local bodies, religious places and at places in the State:-

- a) No person shall manufacture, stock, distribute or sell any carry bag made of virgin or recycled or compostable plastic, which is less than 40 microns in thickness;
- b) The sale and use of plastic carry bags less than 40 microns in thickness, is banned in all shops and establishments located in Municipal Corporation, Local Bodies and other Urban Municipalities Areas in the State;
- c) The use of carry bags made of recycled plastics for storing, carrying, dispensing or packing of foodstuffs is banned in the State. The religious worship places, health care centers, hotels / restaurants and other concerned agencies are to ensure strict implementation of the same;
- d) Sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala;
- e) Carry bags shall either be white or made using only those pigments and colourants which are in conformity with Indian Standard: IS 9833:1981 titled as List of Pigments and Colourants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water, as amended from time to time;

- f) Littering of public places like parks, playgrounds, recreational places, tourist centers, beaches, water fronts etc., with plastic carry bags is not permitted.

7. **Role of Municipal Authorities:**

- a) The municipal authority shall be responsible for setting up, operationalisation and co-ordination of the waste management system and for performing the associated functions, namely:- (i) to ensure safe collection, storage, segregation, transportation, processing and disposal of plastic waste; (ii) to ensure that no damage is caused to the environment during this process; (iii) to ensure setting up of collection centres for plastic waste involving manufacturers; (iv) to ensure its channelization to recyclers; (v) to create awareness among all stakeholders about their responsibilities; (vi) to engage agencies or groups working in waste management including waste pickers; (vii) to ensure that open burning of plastic waste is not permitted;
- b) For setting up plastic waste collection centres, the municipal authority may ask the manufacturers, either collectively or individually in line with the principle of Extended Producer's Responsibility (EPR) to provide the required finance to establish such collection centre;
- c) The concerned municipal authority shall ensure that the residues generated from recycling processes are disposed of in compliance with Schedule-II (Management of Municipal Solid Wastes) and Schedule-III (Specifications for Landfill Sites) of the Municipal Solid Wastes (Management & Handling) Rules, 2000 made under the Environment (Protection) Act, 1986, as amended from time to time;
- d) The municipal authority shall incorporate the said rules in the Municipal bye laws of all the Urban Local Bodies;
- e) The municipal authority shall encourage the use of plastic waste by adopting suitable technology such as in road construction, co-incineration etc. The municipal authority or the operator intending to use such technology shall ensure the compliance with the prescribed standards including pollution norms prescribed by the competent authority in this regard;
- f) No carry bags shall be made available free of cost by retailers to consumers. The concerned municipal authority may by notification determine the minimum price for carry bags depending upon their quality and size which covers their material and waste management

costs in order to encourage their re-use so as to minimize plastic waste generation;

- g) The Municipal Corporations and other concerned agencies, shall ensure to take necessary measures to cause wide publicity of the impacts of using recycled plastic carry bags and littering public places, on environment and health of human beings, and also the penalty provisions of these rules, through cinema exhibit slides, electronic media etc.

8. District Level Committees:

The District Level Committee under Chairmanship of District Collector with the following members to implement Plastic Waste (Management & Handling) Rules, 2011 is constituted with the following members:-

- a) All the Commissioners of Municipal Corporations / Municipalities in the Districts.
- b) The General Manager, District Industries Centre.
- c) A NGO working in the field of Plastic Waste Management.
- d) A representative from Plastic Manufacturing Association / Plastic Distribution Agency.
- e) The Regional Officer, A.P. Pollution Control Board -- Member Convener.

9. Levy of Penalties:

The following penalties will be levied in accordance with Acts and Rules in force.

- a) The manufacturing units, found to be violating the rules, relating to manufacture, recycling, thickness and marking, shall be fined Rs.50,000/- for the first offence and the license/consent of the unit shall be cancelled for the subsequent offence in addition to confiscating the machinery used for the manufacture;
- b) The retailers, vendors and other establishments found to be violating the rules, relating to the use of plastic carry bags of banned category, shall be fined Rs.2,500/- to 5,000/- for the first offence and the trade license of the violator shall be cancelled for the subsequent offence, under relevant Municipal Laws and shops and Establishments Act;
- c) The individuals found to be littering public places with plastic bags shall be fined Rs.250/- to 500/- per offence.

10. These orders shall come into force with immediate effect.

11. Copy of this order is available on Internet and can be accessed at address <http://goir.ap.gov.in/>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**M. SAMUEL
SPECIAL CHIEF SECRETARY TO GOVT.**

To

All District Collectors.

The MA & UD Department.

The Industries & Commerce Dept.

The Revenue (Endowment) Dept.

The Food & Civil Supplies Dept.

The Animal Husbandry, Dairy Dev., & Fisheries Dept.

The Information & Technology Communication Dept.

The Commissioner, Endowment Dept.

The Commissioner of Police, Hyderabad.

The Metropolitan Commissioner, HMDA, Hyderabad.

The Member Secretary, A.P. Pollution Control Board, Hyd.

The Prl. Secretary to Chief Minister.

The P.S. to Minister (FES&T).

The P.S. to Chief Secretary.

The P.S. to Spl. Chief Secretary to Govt., E.F.S. & T. Dept.

SC / SF.

//Forwarded::By Order//

Section Officer